

MEMORANDUM TO: All Members of the Metropolitan Council
FROM: Donald W. Jones, Director
DATE: June 13, 2006
RE: **Analysis for Adjourned Council Meeting
of June 13, 2006 - 7:00 p.m.**

- BILLS ON THIRD READING -

ORDINANCE NO. BL2006-1050 (FOSTER) – This ordinance amends the Metropolitan Code of Laws to require Metropolitan Government boards and commissions to publicly announce at each meeting the timeframe for appealing a decision of the board or commission. Each board and commission would be required to make a standard announcement approved by the department of law that informs the public as to the process and timeframe for appealing a decision. The announcement is to advise persons interested in appealing a decision to seek the advice of independent counsel to ensure that the appeal is filed in a timely manner and that all procedural requirements have been satisfied.

ORDINANCE NO. BL2006-1067 (MCCLENDON) – This ordinance amends the Metropolitan Code of Laws to require the director of the department of codes administration to forego issuing a notice of violation for repeat offenders and immediately initiate the appropriate court action against the violator. The code currently provides that the codes director has the discretion to forego the issuance of a notice of violation to a repeat offender.

According to the codes director, this ordinance will have little effect since the codes department already has a policy for not sending a notice of violation to repeat offenders.

ORDINANCE NOS. BL2006-1070 & BL2006-1071 (TOLER & MCCLENDON) – These two ordinances authorize the Metropolitan Government to enter into participation agreements with private developers to provide public sewer service to new subdivisions in Davidson and Williamson Counties. The developers will be required to contribute \$2,000 per single-family home connection toward the projects in aid of construction. These funds are to be deposited into the water and sewer extension and replacement fund. These are typical participation agreements entered into by the Metropolitan Government, acting through the department of water and sewerage services, whereby private property owners and/or developers contribute a portion of the cost to extend or upgrade public water and sewer service.

Ordinance No. BL2006-1070 approves a participation agreement with Burkitt Place Development, LLC to provide public sewer service to the Burkitt Place subdivision in Davidson and Williamson Counties. Burkitt Place Development, LLC has agreed to contribute \$92,000 toward the cost of the project in aid of construction for a total of 46 single-family home connections.

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ORDINANCE NOS. BL2006-1070 & BL2006-1071 (continued)

Ordinance No. BL2006-1071 approves a participation agreement with Pulte Homes, Tennessee LP to provide public sewer service to the Winterset Woods subdivision in Williamson County. The developer has agreed to contribute \$38,000 toward the cost of the project in aid of construction for a total of 19 single-family home connections.

ORDINANCE NOS. BL2006-1072, BL2006-1073 & BL2006-1074 – These three ordinances abandon sanitary sewer lines and accompanying easements that will be replaced by new sewer lines and easements. The existing lines to be abandoned are no longer needed by the Metropolitan Government. These three ordinances have been approved by the planning commission.

Ordinance No. BL2006-1072 (Toler) abandons a 15", 12" and 8" sanitary sewer line and easement for the Nolensville Road Wal-Mart project.

Ordinance No. BL2006-1073 (Summers & Toler) abandons an 8" sanitary sewer line and easement for the Southgate Condominiums project.

Ordinance No. BL2006-1074 (Walls & Toler) abandons an 18" sanitary sewer line and easement for the Costco at the Hillwood Plaza shopping center.

ORDINANCE NOS. BL2006-1075 & BL2006-1076 – These two ordinances accept easements to allow for the completion of multiple stormwater projects. These easements are being donated by the property owners at no cost to the Metropolitan Government. These ordinances have been approved by the planning commission.

Ordinance No. BL2006-1075 (Walls & Toler) authorizes the acceptance of easements for the following properties:

- 557 Castlegate Drive
- 561 Castlegate Drive
- 564 Castlegate Drive
- 568 Castlegate Drive
- 710 Holder Drive
- 712 Holder Drive
- Centennial Drive, unnumbered

Ordinance No. BL2006-1076 (Walls, Summers & Others) authorizes the acceptance of easements for the following properties:

- 2244 Hobson Pike
- 1010 16th Avenue South
- 401 McIver Street
- 3101 Nolensville Pike
- 3105 Nolensville Pike
- 2323 Springdale Drive
- 1101 18th Avenue South
- 1103 18th Avenue South
- 218 Crestview Drive
- 3821 West End Avenue

ORDINANCE NOS. BL2006-1077 & BL2006-1078 – These two ordinances authorize the director of public property to acquire easements by negotiation or condemnation in conjunction with two water/sewer department projects. These two ordinances have been approved by the planning commission.

Ordinance No. BL2006-1077 (Shulman, Toler & McClendon) approves the acquisition of drainage easements for the following properties at an estimated cost of \$1,500:

- 3445 Hampton Avenue
- 3435 Woodmont Boulevard

Ordinance No. BL2006-1078 (Summers & Toler) approves the acquisition of 26 easements at an estimated cost of \$39,000 in connection with the Richland Creek/Charlotte Pike sewer system rehabilitation project. Easements are to be acquired for the following properties:

- 4601 Murphy Road
- 5401 Knob Road
- Knob Road, unnumbered
- 100 White Bridge Pike
- 4601 Murphy Road
- 5628 Meadowcrest Lane
- 5626 Meadowcrest Lane
- 5624 Meadowcrest Lane
- 5622 Meadowcrest Lane
- 5620 Meadowcrest Lane
- 5618 Meadowcrest Lane
- 5616 Meadowcrest Lane
- 5614 Meadowcrest Lane
- 5516 Bon Air Circle
- 325 A 54th Avenue North
- Charlotte Pike, unnumbered
- 5511 Charlotte Pike
- 5509 Charlotte Pike
- Orlando Avenue, unnumbered
- 302 Orlando Avenue
- 300 Orlando Avenue
- 242 Orlando Avenue
- 240 Orlando Avenue
- 238 Orlando Avenue
- 236 Orlando Avenue
- 234 Orlando Avenue

ORDINANCE NO. BL2006-1079 (WALLACE) – This ordinance declares the Municipal Garage located at 413 Fifth Avenue North to be surplus and authorizes the director of public property administration to sell the property in accordance with the standard procedures for the disposition of surplus property. This property will be deeded over to the Metropolitan transit authority for construction of the new central bus terminal. According to Metro real property services, additional property will need to be acquired for this project at a later date.

ORDINANCE NO. BL2006-1080 (HAUSSER) – This ordinance abandons the right-of-way and easement for Alley #439 from Compton Avenue to alley #952, and abandons a 250-foot portion of the right-of-way for Alley #952. This closure has been requested by Weatherford and Associates on behalf of Belmont University, the owners of all the affected properties. A new alley is to be dedicated by plat. This ordinance has been approved by the planning commission.

ORDINANCE NO. BL2006-1089 (MCCLENDON & LORING) – This ordinance adopts the capital improvements budget for 2006-2007 through 2011-2012. A separate, more detailed analysis has been previously provided of the capital improvements budget. The capital improvements budget is a planning document and does not in itself appropriate any money. All capital projects must be provided for in this document before a capital improvement can be approved by the council, except in the case of a public emergency.

This budget is amendable on third and final reading. The Charter requires the council to adopt the capital improvements budget not later than June 15th of each year. Once adopted, future amendments to the capital improvements budget must be approved by the planning commission, be recommended by the Mayor, and then be adopted by resolution of the council receiving twenty-seven (27) affirmative votes.

The Council Office has prepared fifty (50) amendments to the capital improvements budget. These amendments add new projects, change the years of projects, or change the amount of funding. No projects are removed by any amendment.

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